

**DIRECTORS' MEETING
MONDAY, SEPTEMBER 11, 2006**

I. MAYOR

- **1. NEWS RELEASE - 21 Educational Access kicks off third season of Nebraska Wesleyan football.
- **2. NEWS RELEASE - 21 Educational Access kicks off third season of high school football.
- **3. NEWS RELEASE - Safe walk and safe ride to school set for Thursday, August 24, 2006.
 - 4. Letter from Mayor Seng to Nebraska Department of Roads re: Wonderful job on Highway 2 Improvement Project.
 - 5. NEWS ADVISORY - Mayor Seng's schedule for September 2-8, 2006.
 - 6. NEWS ADVISORY - City issues news conference, 10:00 am, Thursday, September 7, 2007, in the Mayor's Conference Room, 555 South 10th Street.
 - 7. NEWS ADVISORY - Public invited to dedication of new park. Aster mini-park, N. W. 8th Street and Aster Road.

II. DIRECTORS

FINANCE/CITY TREASURER

- **1. Monthly City Cash Report and Pledged Collateral Statement for August 2006.
- **2. Sales Tax Reports for August
 - a) Actual compared to projected sales tax collections.
 - b) Gross sales tax collections (with refunds added back in) 2000-2001 through 2005-2006.
 - c) Sales tax refunds 2000-2001 through 2005-2006.
 - d) Net sales tax collections 2000-2001 through 2005-2006.
- **3. Final property tax base compared to estimated tax base used for Mayor's budget.

HEALTH

- *1. NEWS RELEASE. Household Hazardous Waste Collection scheduled for September 9, 2006.
- *2. NEWS RELEASE. City to continue to spray for West Nile virus carrying mosquitoes.
- *3. NEWS RELEASE. Caution around bats and preventing bat bites.

PLANNING

- **1. Harrison Heights Addition, Final Plat #06034. Generally located at North 86th and Leighton Avenue.
- *2. Annexation by ordinance. Ordinance No. 18768, effective August 8, 2006, 241.78 acres.
- *3. Annexation by ordinance. Ordinance No. 18771, effective August 8, 2006, 53.0 acres.
- 4. Memorandum from Marvin Krout, Planning Director, re: Bill #06-86 and 06R-110, 84th and Rokeby Road.
- 5. Memorandum from Marvin Krout, Planning Director, re: Northbank Junction Items on Pending.

PLANNING COMMISSION FINAL ACTION

- *1. Special Permit No. 20405A, amendment to the Hartland's Cardinal Heights 2nd Addition Community Unit Plan.

PUBLIC WORKS & UTILITIES

- **1. Letter from Harry Kroos to Architect, Builder or Contractor - RE: Curb Cut & Permit Fees.
- **2. ADVISORY - Pine Lake Road Widening Project #700014.
- **3. ADVISORY - Pre-Construction Public Meeting. South 48th Street; Old Cheney - Claire. Water Main Project #700270.
- *4. Letter from Steve Masters, Public Utilities Administrator, to Ms. Darling, re: Third wastewater treatment proposal.
- *5. Letter to Joe Karas, from Harry Kroos, Sidewalk Services, re: Repair of sidewalk at 3111 So. 54th Street.
- *6. Correspondence from Nicole Fleck-Tooze re: 06-155 Orchard Street Water District.
- *7. ADVISORY. Storm sewer project to start. Project #702257.

URBAN DEVELOPMENT

- *1. Street and alley vacation No. 06001, Fallbrook Boulevard.

WOMEN'S COMMISSION

- *1. NEWS RELEASE. Women's Commission elects new officers for 2006-2007.
- *2. NEWS RELEASE. Movies are for mommies - and daddies, too!
- *3. NEWS RELEASE. Nominations open for awards program.

III. CITY CLERK

- 1. Correspondence received from Rickey Meyer re: Cats taken from home.

IV. COUNCIL REQUESTS/CORRESPONDENCE

ROBIN ESCHLIMAN

- **1. Information on square foot of airport project from Don Herz, Finance Director.

DAN MARVIN

- **1. Request to Karl Fredrickson & Roger Figard, Public Works & Utilities - RE: Request for information regarding road design standards (RFI#3 - 8/23/06)

ANNETTE McROY

- **1. Request to Harry Kroos, Public Works & Utilities Dept.-Sidewalks - RE: Sidewalk Repair (RFI#172 - 8/17/06).

PATTE NEWMAN

- **1. Request to ~~Larry Worth, StarTran~~ /Karl Fredrickson, Public Works/Steve Hubka, Budget Officer - RE: City bus drivers (RFI#40 - 8/09/06). — **1.) SEE RESPONSE FROM LARRY WORTH, STARTRAN RECEIVED ON RFI#40 - 8/16/06.**
- **2. Correspondence from Mark Hunzeker, and petition requesting 44th Street railroad crossing be closed temporarily. (Delivered to Council Members on August 22, 2006)

V. MISCELLANEOUS

- **1. Email from anonymous constituent re: Authorization for independent opinion by an ex-city employee.
- **2. Email from Marcee Metzger re: Support ban on concealed weapons in Human Services and Family Violence Facilities.
- **3a. Email from John Malotky re: Vote no on proposals 06-140 and 06-141. (Council received on 08/21/06 before Formal Meeting)
- **3b. Email from Colleen Malotky, re: Vote no on proposals 06-140 and 06-141. (Council received on 08/21/06 before Formal Meeting)
- **4. Email from Susan Scott, Director of YWCA, re: Request YWCA be on list banning concealed weapons.
- **5. Email from Marti McGuyver re: Cleaning up tagged property.
- **6. Email from Larry Koelling re: Vote no on gun ordinances 06-140 and 06-141.
- **7. Certified Letter from Nebraska Liquor Control Commission re: Gas N Shop, Inc. "Cappy's" notified of an order to show cause issued for manager's application of John Caporale.
- **8. Three page letter from Wayne E. Janssen re: Vote against ordinance regarding Section 9.36.100, concealed weapon ordinance banning firearm possession.
- **9. Email from Sharon Eilers re: Conceal carry decision.
- **10. Email from Alicia Malotky re: Vote no on proposals 06-140 and 06-141.

MISCELLANEOUS RECEIVED WEEK OF 09/04/06

- *1. Letters to Mayor Coleen Seng from Dennis A. Van Horn, Lincoln Public Schools Associate Superintendent for Business Affairs, re: Declaring the North 56th Street and Arbor Road redevelopment area as blighted.
- *2. Email from Greg Osborn re: Supports beautification enhancement at 10th and Van Dorn Streets.
- *3. Email from Ray Krause re: Opposed to bike route downtown.
- *4. Email from Roger Griffin re: On graffiti law punish vandals, not victims.
- *5. Email from Roger Griffin re: Disagrees with 14th Street bike path.
- *6. Letter from David Woodrum re: Disagrees with receipt of parking ticket and cites other vehicles illegally parked.
- *7. Email from Danny E. Walker re: On graffiti law broaden scope of people liable for fine instead of targeting the residential property owner.
- *8. Email, and correspondence hand delivered, from Jan Karst re: Impact of first year impact of total smoking ban: a) State Sales Tax report for Lincoln restaurants taxable sales, Lincoln bars taxable sales, Lancaster County restaurant taxable sales and Lancaster County bar taxable sales; b) City of Lincoln Keno summary from 1/00 to 12/05; c) City of Waverly lottery (Keno) from 12/92 to 03/06; and d) Video lottery sales (equivalent of Keno in Eugene, OR from 1999-2005).

MISCELLANEOUS RECEIVED WEEK OF 09/11/06

- 1. Email from Lee Redden re: Pedestrian railroad crossing to close on 14th Street, between New Hampshire and Holdrege Streets?
- 2. Email from Terry Bundy re: New record for electric use.
- 3. Correspondence from Terry Bundy re: Peak July day.
- 4. Letter from Big Red Companies re: Renewal of Lottery Operator Agreement. (Distributed to Council members in packet of 09/07/06)
- 5. Call from Lincoln citizen re: Graffiti ordinance. Victimized the victims twice/should make

the offender provide cost and labor to repair.

6. Email from Tim Johnson re: Vote in favor of down zoning per request of the 40th and “A” Neighborhood Association.

VI. ADJOURNMENT

****HELD OVER FROM AUGUST 28, 2006**

*** HELD OVER FROM SEPTEMBER 4, 2006.**

da082806/mm



CITY OF LINCOLN NEBRASKA

MAYOR COLEEN J. SENG
lincoln.ne.gov

Office of the Mayor
555 South 10th Street
Suite 208
Lincoln, Nebraska 68508
402-441-7511
fax: 402-441-7120
mayor@lincoln.ne.gov

August 28, 2006

Monty Fredrickson
Nebraska Department of Roads
P.O. Box 94759
Lincoln, Nebraska 68509-4759

Dear Monty:

I wanted to express the appreciation of the City of Lincoln for the wonderful job that the Nebraska Department of Roads did on the recent Highway 2 Improvement Project. Not only did the Department closely work with City of Lincoln staff to minimize the impacts on the motoring public, but by combining the City's safety project with the Department's maintenance project, both projects were completed in a more coordinated and effective manner.

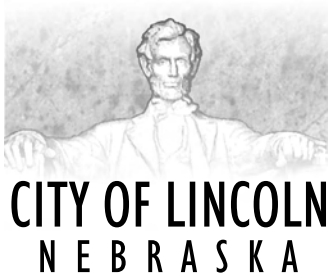
We have already received numerous positive comments on the results of the Highway 2 work. People marvel at the smooth ride and that the intersection is more safely and efficiently operating than it did before the projects.

I hope that Nebraska Department of Roads and the City of Lincoln can continue to cooperate on projects in the future to create such mutually successful results.

Sincerely,

Coleen J. Seng
Mayor of Lincoln

cc: Governor David Heineman
City Council
Rich Ruby
Karl Fredrickson



NEWS ADVISORY

MAYOR COLEEN J. SENG

lincoln.ne.gov

Date: September 1, 2006

Contact: Dave Norris, Citizen Information Center, 441-7547

Mayor Seng's Public Schedule
Week of September 2 through 8, 2006
Schedule subject to change

Wednesday, September 6

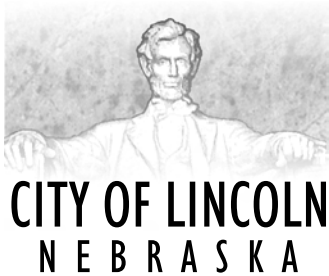
- Celebrate Business, remarks, award presentations - 11:30 a.m., Cornhusker Marriott, 333 S. 13th St.

Thursday, September 7

- United Way Campaign Kickoff - 8 a.m., Cornhusker Marriott, 333 S. 13th St.
- News conference - 10 a.m., location and topic to be announced

Friday, September 8

- Purse Review 25th anniversary celebration, ribbon cutting - 10:30 a.m., 4333 S. 70th St., Suite 6
- Lincoln Literacy Council meeting, remarks and proclamation - noon, 745 S. 9th St.



NEWS ADVISORY

MAYOR COLEEN J. SENG

lincoln.ne.gov

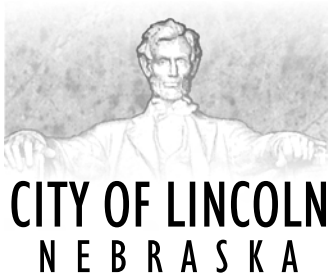
OFFICE OF THE MAYOR

555 South 10th Street, Lincoln, NE 68508, 441-7511, fax 441-7120

DATE: September 6, 2006

FOR MORE INFORMATION: Diane Gonzolas, Citizen Information Center, 441-7831

Mayor Coleen J. Seng will discuss City issues at a news conference at **10 a.m. Thursday, September 7, in the Mayor's Conference Room, 555 South 10th Street.**



NEWS RELEASE

MAYOR COLEEN J. SENG

lincoln.ne.gov

OFFICE OF THE MAYOR

555 South 10th Street, Lincoln, NE 68508, 441-7511, fax 441-7120

FOR IMMEDIATE RELEASE: September 7, 2006

FOR MORE INFORMATION: Diane Gonzolas, Citizen Information Center, 441-7831
J.J. Yost, Parks and Recreation, 441-8255

PUBLIC INVITED TO DEDICATION OF NEW PARK

Mayor Coleen J. Seng invites the public to the dedication of Aster Mini-Park, N.W. 8th Street and Aster Road, at 5:30 p.m. Tuesday, September 12. The new park features a main play structure and multiple climbing boulders, the first of their kind in Lincoln's park system.


The Fallbrook Homeowners Association and NEBCO, Inc. provided funding for the park. Construction of the improvements was a cooperative effort that included volunteers from the neighborhood and NEBCO. The Fallbrook Homeowners Association has agreed to accept responsibility for mowing the grass and maintaining the landscape, while the City will maintain the play features for their continued safe and comfortable use.

"The City of Lincoln very much appreciates the opportunity to partner with NEBCO and the Fallbrook Homeowners Association to create a wonderful opportunity for families in the area to experience safe and enjoyable outdoor recreation," said City Parks and Recreation Director Lynn Johnson.

The park dedication will include a ribbon-cutting ceremony, remarks from Mayor Seng and Parks and Rec Director Lynn Johnson, as well as comments from representatives of NEBCO, Inc. and the Fallbrook Homeowners Association.

MEMORANDUM

TO: City Council

FROM: Marvin Krout, Director of Planning 

SUBJECT: **Bill #06-86 and 06R-110 - 84th & Rokeby Road**

DATE: September 5, 2006

cc : Mayor Coleen Seng
Lincoln-Lancaster County Planning Commission
Karl Fredrickson, Public Works
Kent Seacrest
Mike Eckert, Civil Design Group
John Layman

Several comments that were made at last week's City Council hearing on the two agenda items related to the 84th and Rokeby area, which I have paraphrased below, deserve some response from the Planning Department.

1. **"Lincoln's housing costs are unaffordable and not competitive with Omaha."**

A. Sales prices

Comparisons between the two communities are difficult because of the different kinds of information collected by the realtors' boards in the two communities, which compile information on sale prices, as well as the different manner in which new development is financed. The Omaha board does not break down the information into as many categories as the Lincoln board. The Omaha information combines sales of single family attached and detached dwellings, and since 2004, the sales prices for existing and new housing have been combined. The comparison, however, is still revealing.

- In 2003, the last year that the Omaha board supplied separate information on sales prices of new housing, the average sales price for new homes in the Omaha area was reported as \$248,469, and in the Lincoln area, \$184,502.

- In 2005, the average sales price for new and existing homes in the Omaha area was reported as \$176,259, and in the Lincoln area, \$159,412.

B. Income

As was pointed out in the testimony to the Council, housing affordability should take average income in the community into account. One testifier suggested that housing is more affordable in Omaha than in Lincoln because average income in Lincoln lags behind Omaha.

There are many different sources of data on income, but the U.S. Census is considered a reliable source for this information. The Census Bureau conducts an Annual Housing Survey, and the 2005 information for metropolitan areas was just released. The Census reports that 2005 median family income in the Lincoln area was \$60,871, and median household income was \$47,029. This compares to \$61,217 and \$49,197 reported for the Omaha area. It is clear that the difference in median income between the two communities is quite small in relation to the difference in average housing sales price.

C. Taxes and special taxes

A typical property tax levy in unincorporated Douglas County is about \$2.60 per \$100, including the SID assessment, compared to \$2.07 inside Lincoln. The tax levy in Lincoln pays for parks, libraries, professional fire protection, emergency medical service, and other municipal services not available to homeowners in unincorporated Douglas County.

In Lincoln, the sales price for new homes includes the cost of improving the lots with local streets and sidewalks, street lighting, drainage and utilities. But in the Omaha area, the cost of improving the lots is in addition to the sales price, in the form of a special tax on the lots that are benefitting from those improvements. The 20-year per lot assessment for a small new lot in the Omaha area is running about \$0.90 per \$100 of assessed value, which is about \$1,800 per year. Portions of that assessment may be used to fund private services to the lots in the subdivision, such as road and grounds maintenance and snow removal. But the bulk of the assessment paid by the home buyer goes to pay off bonds for the subdivision improvements, on top of his or her mortgage payments and regular taxes. Because the improvements in a new Lincoln home are part of the mortgage, they are typically spread out over 30 years instead of the 20 year assessment, resulting in a lower monthly house payment. In addition, the interest paid on that portion of the mortgage is deductible from federal income tax, whereas SID assessments are not tax deductible.

D. Cost of living

One more comparison: the State's labor department Web page has a reference to a Web site called "The Salary Calculator" that tells you how much more or less you will need in salary if you move from one city to another and want to maintain the same lifestyle. The Salary Calculator says that if your salary in Lincoln today is \$100,000, you will need \$107,400 to maintain that same lifestyle in Omaha.

Last, a little perspective on housing affordability: data was presented to show that housing cost increases in Lincoln have outpaced income gains. While that is true, it is true around the country. In his most recent visit to Lincoln to rate our economic development performance, Angelos Angelou gave Lincoln high scores because our housing costs had increased at a lower rate and were more affordable than the national average. The low mortgage rates of the past 10 years have compensated for the differential between housing and income, such that a greater percentage of households own their own homes today than ever in the nation's history.

2. "If Lincoln doesn't annex this area, Hickman will."

No way. It is true that the land in the 84th and Rokeby area drains naturally south today. But it is in a drainage basin that flows toward Wagon Train Lake -- a different basin than Hickman's or Bennet's. The 84th/Rokeby area is 6 miles as the crow flies from Hickman's current city limits, and 5 miles from Bennet. Annexation law in Nebraska requires that land proposed for annexation be contiguous to the village limits,

and unless it is voluntary, must receive full city services. It is just not reasonable to expect that the good citizens of either village are going to tax themselves to multiply the size of their treatment plant, extend public sewer and water lines and other city services across their drainage basin and annex all the land 5 or 6 miles upstream to the 84th and Rokeby area.

3. **"Omaha has grown 7 miles to the west along I-80 in the same time that Lincoln has grown only 1 mile to the east."**

With few and usually minor exceptions, communities grow "upstream" toward higher elevations, because it is easier and less expensive for wastewater to run downstream by gravity to the wastewater treatment plant. It is natural to expect Omaha to grow away from the Missouri River to the west and east, just as Lincoln has grown upstream to the north and south from its two sewer treatment plants along Salt Creek. The current draft of the Comprehensive Plan update does show growth in a new direction, northeast along Cornhusker to the future I-80/East Beltway interchange, recognizing it will take a pump station/force main to sewer this area.

But growing further east along I-80 presents not just a topographic problem but a political one. Waverly's citizens would need to agree to be annexed by Lincoln, and Lincoln agree to annex and take over responsibility for Waverly's sewer and other services -- a possible scenario, but not anytime soon.

4. **"It's unfair to double-pay for infrastructure; the market will get confused and shut down if you change policies."**

This allegation is in regard to the staff recommending that the applicants pay for the cost of extending the sewer lines, without reimbursement from the impact fees that will be paid out of the development of their lots. The staff position is not a change in policy. The Comprehensive Plan specifically calls for developers to help pay infrastructure costs when they want to advance projects that cannot be funded in the CIP. This request to have City ratepayers reimburse the applicants for sewer construction at a point beyond its 6-year capital planning horizon represents a change of policy. It will encourage other developers to find cheaper land outside the established priority areas and try to commit the City to accelerate its infrastructure program further, which will cause utility fees to increase even higher than projected.


The applicants' position also demonstrates an attitude of "entitlement" about impact fees that has not been City policy before now. The purpose of sewer impact fees is not just to help pay for the distribution lines in the immediate area. It is also to help pay an equitable share of the costs to expand the treatment plants and build the larger downstream sewer mains and interceptors that make new development possible. Sewer impact fees cover less than 30% of the actual per-lot cost of all sewer improvements attributable to new development. Impact fees generated by the applicants' proposed development, if not directed back to repay them for advancing the construction of the sewer lines through their own land, otherwise would be used to help pay for the millions of dollars of new sewer pipe being laid along Salt Creek and Beal Slough and continuing improvements at the Teresa Street treatment plant that make new development upstream possible.

Marvin S. Krout, Director
Lincoln-Lancaster County Planning Department
tel 402.441.6366/fax 402.441.6377

q:\msk\84th & Rokeby Road

MEMORANDUM

TO: City Council

FROM: Marvin Krout, Planning Director 

SUBJECT: *Northbank Junction Items on Pending*

DATE: September 7, 2006

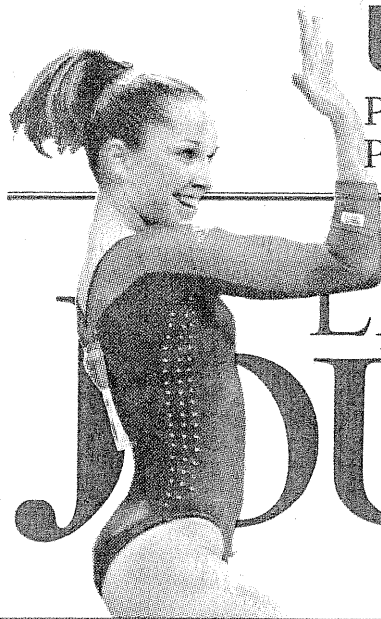
COPIES: Peter Katt
Mayor's Office
Karl Fredrickson, Steve Masters, Public Works & Utilities
Roger Figard, Nicole Fleck-Tooze, Public Works & Utilities
Darl Naumann, Economic Development

The Northbank Junction project near N. 56th and Arbor Road is ready for City Council action. City staff and the applicant request that the following items be taken off pending and placed on the City Council agenda for public hearing on Monday, September 18th, 2006:

04 -188	Annexation 03001
04R-273	Northbank Junction Annexation Agreement
04- 189	Change of Zone 3398
04R-272	Special Permit 2004

City staff are preparing updated legal descriptions for each of the items as well an updated version of the annexation agreement for City Council consideration. These items will be forwarded next week by the City Attorney's Office.

Q:\CC\Northbank pending memo.wpd



U.S. Olympic stars

Patterson wins women's all-around;
Peirsol's swimming gold restored, Sports/

FILED

SEP 5 2006

CITY CLERK'S OFFICE
LINCOLN, NEBRASKA

LINCOLN JOURNAL

www.journalstar.com

Most rescued cats adoptable

That's good, because
it's pretty crowded at
the Humane Society.

BY LEAH THORSEN
Lincoln Journal Star

A few days ago, 146 cats shared a stinky basement.

By Thursday, their living quarters, although less than spacious, had improved.

They now share roomy cages usually reserved for dogs at the Capital Humane Society.

Animal Control found the cats, most in a 12-by-13½-foot basement room of 4120 Linden St., on Tuesday afternoon.

On Thursday, shy cats huddled together toward the backs of cages. The

more sociable ones peered around, some scratching their itchy ears or lapping up water.

One by one, they were taken to a table in the center of the room.

Megan Pieper held each cat while Elizabeth Ehrlich drew blood from a hind leg, testing for feline leukemia and feline AIDS.

"Almost done, sweetheart, almost done," Pieper consoled one cat that didn't particularly enjoy the procedure.

But he didn't bite or hiss. None of the cats did, both women said.

One began to purr just as Ehrlich removed the syringe — he craned his head toward Pieper for a chin scratch.

The women work for Nebraska Animal Medical Center, one of seven local veterinary clinics to volunteer time and supplies to treat the cats.

You can help

The Capital Humane Society doesn't need more cat food, but it would like donations of money, cat litter, laundry and dish soap, towels and bleach. For more information, call the Humane Society at 441-4488.

Within 10 minutes after drawing the blood, the tests showed which animals were sick.

Just before they finished, that number was zero.

That's good news, because officials had predicted most of the cats would be healthy enough for adoption.

Good news for the cats and good

See CATS, Page 2A



rights abuses. Their failure to assume that role emphasizes to the prisoner how utterly beyond humane appeal they are," Miles said in a telephone interview with The Associated Press.

He said military medicine reform needs to be enshrined in international law and include more clout for military medical staff in the defense of human rights.

Miles gathered evidence from U.S. congressional hearings, sworn statements of detainees and soldiers, medical journal accounts and

he died of natural causes... during his sleep." However, after media coverage, the Pentagon changed the cause of death to homicide by blunt force injuries and suffocation.

Dr. Robert Jay Lifton, a psychiatrist at Harvard University-affiliated Cambridge Hospital who wrote a book on doctors and torture in Nazi Germany, called the Lancet analysis "a very good, detailed description of violations of medical policies involving medical ethics."

In a July 29 New England Journal of Medicine essay, Lifton urged

are or their circumstances."

In his article, Miles dismissed Pentagon officials putting the blame for the abuse on poor training, understaffing, racism, pressure to procure intelligence and the stress of war.

"Fundamentally, however, the stage for these offenses was set by policies that were lax or permissive with regard to human rights abuses and a military command that was inattentive to human rights," Miles concluded.

■ Cats

Continued from Page 1A

news for the cramped shelter.

This is a crowded time of year anyway, when many cats are breeding, said Bob Downey, the Humane Society's executive director.

Before the addition of the 146 cats — the city's largest cat rescue ever — the shelter already housed roughly 100 cats.

The cats' owners said they started with four cats in 1999, and they multiplied, Downey said.

Rickey Meyer, 49, was ticketed on suspicion of several violations, including exceeding the legal number of cats in a house and unsanitary conditions.

Officials are sifting through ideas for ways to tempt people into adopting the cats — "very nice cats," Ehrlich said.

Downey estimated that fewer

than 10 would have to be euthanized. Those are the cats without teeth, or with genetic disorders, caused by inbreeding, that make them shake constantly.


Housing them isn't cheap: Downey said the shelter would

spend about \$10,000 caring for the rescued cats.

"This is an classic example of why people need to spay and neuter pets," he said.

Reach Leah Thorsen at 473-7246 or lthorsen@journalstar.com.

HOMEROOM
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EVERY MONDAY
IN THE
JOURNAL STAR



Jonathan Mifflin
August 20, 1977 - October 18, 2003

You are dearly missed by your family and friends. You will always be in our hearts. We love you.
Dad, Mom, Jason, BJ and Tayler


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SEP 5 2006

CITY CLERK'S OFFICE
LINCOLN, NEBRASKA

Patte Newman —

We talked in early
July about my matter.
You mentioned about
the cats being sick & all that.

Well, you're wrong about it.
I don't know where you got
your information from.
But it is still wrong.
Read this newspaper article
& you will eat your comments
about it.

Thank you
Rick Meyer
Sept 5 2006

Att: Jon Camp

Pick Meyer
488-0048

DO NOT WRITE IN THESE SPACES

I have dropped off these papers for you to look at.
I want Mr. Weverka, Demon Wimes & Diane Hoy fired for what they put me through a year of court dates from 2004 to 2005. Mr. Weverka & Mr. Wimes knowingly & recklessly let my case go on when they both knew about this agreement. I want you to read Judge Ponkorney's Order - the Cat House letter & the letter Mr. Weverka wrote when it said I was promised two cats back & the agreement Mr. Weverka told Mr. Wimes to write these 4 charges on my ticket - but he failed to write them down. He violated the City Ordinance by not giving me an Animal Control Citation - he just wrote it on a Lincoln Police Citation & this is not what the Ordinance said. I'll tell you what - but I am very angry what they put me through. All three of them are pathetic liars.

I was promised two cats back
but they failed on it.
Dianna Hoy & Zach Meyer of
Capital Humane Society failed to
come forward about my cat fancy.
He (fancy) was already adopted
out before I was told to pick up
the 2 cats I had selected. So I or
got one cat back named Chip - but fancy
was already adopted out earlier
before I arrived to prove that
I have 4 witnesses to prove up
fancy was picked out but Capital-
Humane Society knowingly & recklessly
let him get adopted.
Bob Downey has done nothing
about this but Stonewalled me.

Judge Portkorney's Order -
"State must keep It's Word"

If you want to tell the News Media
about my issues - that's fine.
This should be on tv & in the newspaper.
The City of Lincoln needs to know
what's going on at Animal Control &
Capital Humane Society.
Please, I need your help on this
er.

Thank
u.

Court Dates

Oct. 18 - 2004

Oct. 22 - 2004

Nov. 5 - 2004

Dec. 16 - 2004

Jan. 27 - 2005

Mar. 17 - 2005

Apr. 20 - 2005

May. 12 - 2005

Aug. 25 - 2005

Sept. 12 - 2005

Nov. 3 - 2005

Dec. 5 - 2005

Jan. 6-2006

Jan. 27-2006

Feb. 8-2006

Feb. 22-2006

Apr. 25-2006

If Mr. Weaver-Ka would have kept his agreement & promises he made to me on Aug. 18-2004 - this case would have been over with on - Sept. 16-2004 - but he failed & covered it up - that goes for both him & Mr. Wimes

This is unacceptable, outrageous & appauling what they did & that's why they need to be fired.

I have written 3 letters to Mr. Dart about this matter - he failed in his leadership to take action against these 3 losers.

I have written letters to the
Mayor's Office too, but she doesn't
want to talk to me — but the Mayor
talk to an idiot with words &
including Impeachment on his ~~shirt~~ shirt.
She talked to him but not me!
Figure that out???

This is a very serious matter
on the 3 Animal Control Employees.

My case is very strong against
them.

~~Thurday~~
Rick Meyer
Sept 5 2006

IN THE COUNTY COURT OF LANCASTER COUNTY, NEBRASKA

THE STATE OF NEBRASKA,

Plaintiff,

vs.

RICKEY MEYER,

Defendant.

Case No. CR04-17189

ORDER

On the night these cats were seized by Animal Control, Jim Weverka, the Director of Animal Control, made an agreement with Rickey Meyer.

If the defendant gave up ownership of all but two of the cats, the state agreed to charge the defendant with no more than 8 counts of certain municipal ordinances pertaining to animals.

The defendant agreed and gave up ownership to 143 cats. He fulfilled his part of the agreement.

The state is now required to keep its word! State vs. Wacker 268 Neb. 787, 2004.

Motion to Amend sustained. State ordered to amend complaint to the city ordinances specified by Mr. Weverka in 7 days.

DATED this 12 day of September, 2005.

g:00 am

GALE POKORNY
Lancaster County Judge

(Ord. 15515 §38; April 9, 1990: P.C. §8.71.380: Ord. 14955 §38; August 22, 1988).

6.04.390 Enforcement.

The enforcement of the provisions of this chapter shall be under the direction of the Director and the Chief of Police. For the purpose of enforcing this chapter or abating any nuisance existing hereunder, the Director or any Animal Control officer or police officer may enter upon private premises. (Ord. 15515 §39; April 9, 1990: P.C. §8.71.390: Ord. 14955 §39; August 22, 1988).

6.04.400 Interference with Officer Prohibited.

It shall be unlawful for any person to knowingly and intentionally interfere with the Director or any Animal Control officer in the lawful discharge of their duties as prescribed in this title. (Ord. 15515 §40; April 9, 1990: P.C. §8.71.400: Ord. 14955 §40; August 22, 1988).

6.04.410 Animal Fights.

It shall be unlawful for any person or persons within the limits of the City of Lincoln to set dogs or other animals or fowl to fighting, by agreement or otherwise, or in any manner to urge, forward, or encourage the same. (Ord. 15515 §41; April 9, 1990: P.C. §8.71.410: Ord. 14955 §41; August 22, 1988).

6.04.420 Animal Control Violation; Citation.

Whenever a police officer or Animal Control officer of the City of Lincoln shall observe any violation of this chapter, it shall be such officer's duty to issue an Animal Control citation to the appropriate person.

At the time of the commission of the alleged violation, the accused may be served with a printed notice requiring him or her to make such appearance on or before the date specified thereon and advising whether execution of waiver of appearance and plea of guilty has been made available by the court for such violation. Said notice shall further apprise the accused that he or she must appear at said court during the hours fixed by the judges of the county court as shown on said notice and that, upon direct refusal or failure to so appear, a warrant shall be issued for his or her arrest. (Ord. 15515 §42; April 9, 1990: P.C. §8.71.420: Ord. 14955 §42; August 22, 1988).

6.04.430 Interference with Capture of Animals or Fowl.

It shall be unlawful for any person to hinder, delay, interfere with or obstruct the Director or assistants of the Director while engaged in capturing, securing, or taking to the animal shelter any animals or fowl subject to be impounded, or to break open or in any manner directly or indirectly aid, counsel, or advise the breaking open of any animal shelter, or any ambulance, wagon, or other vehicle used for the collecting or conveying of animals or fowl to the shelter. (Ord. 15515 §43; April 9, 1990: P.C. §8.71.430: Ord. 14955 §43; August 22, 1988).

6.04.435 Animal Noise; Disturbing the Peace Prohibited.

(a) It shall be unlawful for any person to own, keep, or harbor any bird or animal otherwise allowed by this title which by loud, continued, or frequent noise shall disturb the peace and quiet of any person or neighborhood.

(b) This section shall not apply to:

(1) Public zoos that maintain all legally required permits under applicable state or federal law, including applicable rules and regulations of the Nebraska Game and Parks Commission and federal wildlife agencies;

(2) Colleges and universities using animals for research and teaching;

(3) Humane societies;

(4) The business premises of licensed veterinarians;

(5) Any wildlife rescue organization with appropriate permits from the Nebraska Game and Parks Commission that rehabilitate or shelter animals; or

(6) Authorized individuals sheltering animals belonging to a public zoo which require extensive care or rehabilitation.

(c) Any person convicted of violating this provision shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punished by imprisonment in the county jail for a period not to exceed six months or by a fine in a sum not more than \$500.00, recoverable with costs, or both such fine and imprisonment, except that each person so convicted shall be fined in a sum of not less than \$50.00 for the first offense; not less than \$75.00 for a second offense; and not less than \$100.00 for the third offense

COMPLAINT

LINCOLN POLICE DEPARTMENT

UNIFORM CITATION AND COMPLAINT
IN THE COUNTY COURT OF LANCASTER COUNTY NEBRASKA

STATE OF

NEBRASKA VS.

DATE OF OFFENSE

HOUR

CASE ID

LAST NAME

FIRST NAME

M.I.

STREET:

CITY:

STATE:

ZIP CODE

DRIVER'S LICENSE NO.:

CLASS

EXP. DATE

STATE

DOB

SEX:

HEIGHT:

WEIGHT:

EYES:

HAIR:

R/ETH:

CMV

ENDORSEMENTS

RESTRICTIONS

HAZ MAT.

VEHICLE COLOR:

YEAR:

MAKE:

STYLE:

MODEL:

VEHICLE LICENSE

STATE

YEAR

V.I.N.

PHONE NO.

The undersigned being duly sworn, says the defendant, at the date and time shown,
at or near (location) 4100 Blk & Linden

In the City of:

County of:

State of
Nebraska

SELECTIVE #

LINCOLN

LANCASTER

Did unlawfully commit the following offense(s):

☐ Speeding _____ MPH in _____ Zone

10.14.250 School Zone 10.14.260

☐ Violate Traffic Signal 10.12.030☐ Failure to Yield R.O.W. 10.14.040☐ Veh. ☐ Ped.☐ Follow Too Closely 10.14.160☐ No Seat Belt 10.14.365☐ No Operators License 10.16.060☐ No License on Person 10.16.060☐ No Valid Registration 10.08.010/Fictitious Plates☐ No Insurance 10.16.070☐ Improper Turn 10.14.170☐ Violate Stop Sign 10.14.010☐ Negligent Driving 10.14.290

LA 925980

Officer 1

Wimes

No.

10033

Officer 2

Dunn

No.

10041

Prosecutor

Filed & Sworn Before Me

Date

Your Court Appearance

Date: 9.16.04 Time: 1330

Judge/Clerk

Court Address

575 S. 10th

Room No.

24

This is an appearance only, not a trial date.
I promise that I will appear in court
at the above time and place.X Paul Nguyen

Your signature is not an admission of guilt, but a promise to appear.

Failure to comply with the terms of this citation is punishable by jail or fine or both and may result in suspension
of your operator's license.☐ Waiver Allowed.

WAIVERS.

☒ You must appear in court.If the "waiver allowed" box is checked, you are allowed to plead guilty to this offense
without appearing in court. You have the right to a trial and may appear in court.If you choose to plead guilty, you may pay a fine of \$ _____ and costs of
\$ _____ for a total of \$ _____. See back for payment instructions.If the other box is checked or if you wish to appear in court, you should
appear in court as directed above.

Judge _____
Date _____

☐ Defendant placed on probation according to terms of a separate order.

Driving privileges are: ☐ Suspended ☐ Revoked ☐ Impounded For (time) _____ days in jail.

Pay a fine of \$ _____ Pay costs of \$ _____ Serve _____ days in jail.

It is therefore ordered that the defendant be sentenced to: _____

Section _____

The Court finds the defendant ☐ guilty ☐ not guilty ☐ granted to defendant

Driving privileges are: ☐ Suspended ☐ Revoked ☐ Impounded For (time) _____ days in jail.

Pay a fine of \$ _____ Pay costs of \$ _____ Serve _____ days in jail.

It is therefore ordered that the defendant be sentenced to: _____

Section _____

The Court finds the defendant ☐ guilty ☐ not guilty ☐ granted to defendant

Driving privileges are: ☐ Suspended ☐ Revoked ☐ Impounded For (time) _____ days in jail.

Pay a fine of \$ _____ Pay costs of \$ _____ Serve _____ days in jail.

It is therefore ordered that the defendant be sentenced to: _____

Section _____

The Court finds the defendant ☐ guilty ☐ not guilty ☐ granted to defendant

JUDGMENT

Date _____

☐ Prosecutor Present ☐ State Adduced Evidence ☐ Defense Adduced Evidence

☐ Defendant Present ☐ With Counsel

TRIAL

☐ Jury Trial Requested ☐ Released on Own Recognizance

Bond set at \$ _____

Plea is knowingly and voluntarily entered and is ☐ Accepted ☐ Rejected By the Court

☐ Guilty ☐ By Waiver ☐ Not Guilty ☐ Nolo Contendere

PLEA ENTERED:

☐ Counsel ☐ Trial ☐ Plead Not Guilty ☐ At State Expense (Misdemeanor) ☐ Confrontation ☐ Cross Examination ☐ Compulsory Process ☐ Bail

☐ Self-Incrimination ☐ Guilty Plea Equivalent to Conviction

Rights Explained

☐ Complaint ☐ Read ☐ Waived ☐ Statute Explained ☐ Possible Penalty Explained

Defense Atty. _____

Date _____

☐ Defendant Present ☐ Prosecutor Present

ARRAIGNMENT

COURT RECORD



WELCOME TO THE CAT HOUSE

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The Cat House

[Home](#) [Meet the Cats](#) [Adoption Form](#) [Volunteer](#) [Newsletters](#) [Store](#) [About Us](#) [Links](#)

Cats Recently Rescued From Local Homes

August 25, 2004

While there isn't much "news" to pass along regarding The Cat House's involvement in taking in some of the Linden St. cats (that will likely unfold after CHS holds it's adoptathon), I'd like to take this opportunity to encourage everyone to support Capital Humane Society's Adoptathon this weekend. While we, of course, have LOTS of wonderful cats available, this weekend is the Linden Street Cat's BEST opportunity to get new homes, so I want to encourage all of you to spread the word about this weekend's Adoptathon. If you know anyone who has been thinking about getting a cat, or is starting to look, please suggest they go down to CHS this weekend and meet the Linden Street Cats. I have not spent much time with them, but they are a very mellow and good-natured group of kitties! Most of the health issues seem to be minor and treatable - ear mites, underweight, mild upper respiratory infections. Unfortunately, until they have time to get better nutrition and start to recover from these fairly minor ailments, they look a little "scruffy", which will unfortunately detract from how good-natured they are!

I've been told that CHS is planning on having about half (the most adoption-ready) spayed and neutered by this weekend, so for about \$20, adopters can take home a wonderful, already altered kitty. That is an extremely good deal, even though these guys may have some minor initial health issues.

The Adoptathon will be held down at Capital Humane Society this weekend - Friday through Sunday - August 27th - 29th. For hours, directions and any other info, you can have potential adopters call them at 441-4488.

Also, while I don't personally have any information on their volunteer needs, I have heard that they need extra volunteers for at least another 2 weeks. I certainly encourage anyone who feels comfortable doing so, to volunteer their time down there as well. Anything we can do to help get these kitties in homes as soon as possible is definitely worthwhile.

As for The Cat House's participation, the progress on looking for additional "donated" space for a period of 6 months or so is slow going. I don't really have an update on that front just yet. And while Bob Downey did not ask us to work with them on this situation in this initial period, he did tell me that after the adoptathon kitties would be available for us to take. I wish 125 cats would find homes this weekend, and there would be "only" a dozen or so remaining that needed our help. But, we all know that is an unlikely scenario. With South Street, CHS adopted out about 20 cats that first weekend. So, promote this event as much as possible, and see if we can help them increase that number with word of mouth and volunteering our time.

Then, after this weekend, that's when our real challenges begin. How to accomodate as many cats as possible. Donations to CHS have been extremely high - over \$9000 and tons and tons of food and litter. Hopefully, that level of community support will enable CHS to house these kitties a bit longer.

August 24, 2004

An announcement from Bob Downey about an adoption program should be coming out today, August 24th. After they try to adopt out as many as possible this upcoming weekend, we will then start to understand our level of participation in the situation.

A complaint was received by AC Tuesday evening for odor coming from 4120 Linden St. Initially, owners/occupants would not allow AC in. Eventually, LPD was brought in and AC found 145 (or 146, story varies) cats in a 12' x 13.5' room in the basement. In the time between AC's initial visit to bringing in additional AC and LPD officers, according to Weverka, it is likely the owners/occupants had begun cleaning the basement and hosed down the floor & removed litter boxes. The home owner is an elderly woman, but the owner of the cats is the daughter and son-in-law, who were living in the basement of the house. There were few, if any litter boxes or food bowls remaining when AC got down there, reported Weverka.

The story given to AC was that 5 years ago owners of the cats started with 4 cats, which they never

spayed or neutered. The cats then reproduced over the 5 years unchecked, and resulted in 145 inbred cats. Whether or not that story is true, the cats all do look very similar (a la Adams Street, for those of you familiar with that situation). There are predominantly vans/bicolors (black and white or blue and white) and siamese/snowshoe mixes. There were so many cats that I'm sure I didn't remember each, but I don't recall a "brown tabby" in the bunch, or a single "red factor".

Healthwise, the cats are all underweight, have ear mites, upper resp. Also teeth/mouth are very bad on many cats. No checking has been done for FeLV yet. The cats appear to be VERY mild mannered. They, of course, are very scared, but are housed in groups of up to 10 in dog adoption cages, which are long and very tall. The cat's coats look like crap, but they are a gorgeous bunch - long and short hairs, many siamese/snowshoe mixes, some with a bit of a persian look, some a very burmese look (and some in that chocolate color).

There are pictures of the conditions, but AC will not release them, though they did let the media look at them (and stupidly, I did not take my camera to get even general pictures of the cats). AC made "compromises" (a quote from Jim Weverka) with the owner/occupants (similar to the Adams St. case) so that the cats would be signed over voluntarily. The significance of that is that, unlike South Street, if the owner voluntarily signs them over, then - apparently - AC can then turn them over to CHS and doesn't retain ownership (or cost, etc.) and they don't have to be held for extended periods because of potential "evidence" issues. They are then sole property of CHS, who then can make all the decisions regarding the cats independently of AC and the City. According to Weverka, the compromises involved return of the mother's dog (which was licensed), and not releasing the owner/occupant's names to the media. However, the media already have the name and address of the owner, and the names of the daughter and son-in-law. It appears that lesser charges may also have been part of the compromises, though that was unclear from the news conference. Weverka did not list neglect or cruelty in the list of charges, only things like unsanitary conditions, no licenses, no rabies vac, over the limit, no permit, etc. When asked how many charges of each, Weverka replied "at least one of each". When asked about neglect and cruelty charges, he replied that it would be up to the City Attorney to decide if "neglect" charges would be filed, but possibly. No mention of any possibility of cruelty charges.

How You Can Help The Cats

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[***Back to Meet the Cats***](#)


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 James Weverka

08/30/2004 09:40 AM

To: William B Lyons/Notes@Notes

cc: Beth A Mann/Notes@Notes, Jim E Bare/Notes@Notes, Mark A Kenne/Notes@Notes, Michael D Holmquist/Notes@Notes, Nancy M Clark/Notes@Notes, Ralph E Martin/Notes@Notes, Richard A Slama/Notes@Notes, Rick L Thorson/Notes@Notes, Ronald D Eriksen/Notes@Notes, Scott E Holmes/Notes@Notes, William B Lyons/Notes@Notes

Subject: Re: 4120 Linden St 

Bill,

I would assume they have not removed the carpet or even attempted to clean it. I would guess, you would need to wash any clothes, curtains, and cloth product that is washable. The furniture probably has absorbed the odor also and would need to be cleaned. Were the walls upstairs painted?

This NH3 level needs to be addressed by either by a Health Department policy as it keeps coming up. I believe it should be considered a health hazard. I don't see why worry about roaches but not about the NH3. The cats had upper respiratory problems and eye tears or discharge from the NH3. Surely, there is an effect to humans.


I do want to thank you for the help you gave Animal Control the we removed the cats and the follow-up you provided.

The owner was promised two cats back if he signed over the 143 cats. It was a compromise I needed to make to get custody of the cats. He was told he would the house cleaned up and approved by Building and Safety/Health. He was also told he would have to get the cats spayed/neutered and licensed/vaccinated. DeMon will be stopping by today at the house and try to make his determination on this. SO, I would appreciate so determination on the NH3 level and whatever other steps the owner needs to take.

Thanks. Jim

Jim Weverka
Animal Control Chief
3140 N Street
Lincoln, Nebraska 68510
Phone 402-441-7900 Fax 402-441-8626

Animal Control - Protecting People and Animals
William B Lyons

 William B Lyons

08/30/2004 09:20 AM

To: Michael D Holmquist/Notes@Notes, Scott E Holmes/Notes@Notes, Mark A Kenne/Notes@Notes, William B Lyons/Notes@Notes, Jim E Bare/Notes@Notes, Ronald D Eriksen/Notes@Notes, Ralph E Martin/Notes@Notes, Nancy M Clark/Notes@Notes, Richard A Slama/Notes@Notes, Beth A Mann/Notes@Notes, James Weverka/Notes@Notes, Rick L Thorson/Notes@Notes

cc:

Subject: 4120 Linden St

I would like a consensus for our approach to the house on 4120 Linden. We have varying opinions on whether they should be allowed cats and what is a safe level of NH3 for a private residence.

1. On August 17, 2004, or August 18, 2004, Defendant signed over possession, control and ownership of roughly 143 cats to James Weverka, Animal Control Officer, Peace Officer, agent and representative of the State of Nebraska;
2. That Defendant's act of signing over possession, control and ownership of said cats was done in exchange for the State's following promises:
 - A. That Defendant would only be charged with 8 city misdemeanors;
 - B. That Defendant's name would not be released to the media; and
 - C. That Defendant would be allowed to keep two cats of his choice;
3. In signing over possession, control and ownership of said cats, Defendant detrimentally relied upon the State's aforementioned promises;
4. The State has now failed to honor its agreement by charging Defendant with eleven counts of animal cruelty;
5. The Due Process Clause of the United States and Nebraska Constitutions

Date
4-10-06

Clerk's Record

On February 8, 2006, this matter came on for hearing on the Defendant's Motion to Dismiss on Speedy Trial Grounds. The Defendant was represented by Susan Tast and the State was represented by Assistant City Attorney, Jessica Kerkhofs. At the request of Ms. Tast the hearing was continued to February 22, 2006. Evidence was presented and arguments heard. The matter was taken under advisement.

The evidence shows through Exhibit 1, that on September 16, 2004, a complaint was filed by the Lancaster County Attorneys Office in case number CR04-17189 charging the Defendant with four class 1 misdemeanor counts of animal cruelty. An amended complaint was filed on January 27, 2005, charging the Defendant with eleven class 1 misdemeanor counts of animal cruelty involving eleven specific cats. A docket entry on September 12, 2005, granted the County Attorney's motion to dismiss the case without prejudice.

On October 7, 2005, the City Attorneys office filed the seven count complaint in the case now before the court.

The Defendant argues that counts six and seven of this case are the same alleged violations found in Case number CR04-17189, and the State therefore has failed to bring the Defendant to trial within six months as required by statute.

The Court agrees with the Defendant's position that the violations alleged in counts six and seven are included in the allegations in case CR04-17189. The original complaint in that case was filed on September 16, 2004, and the case was dismissed on September 12, 2005.

The 6-month period begins to run on the date the complaint is filed, excluding periods allowed by statute. It is the State's burden to prove by a preponderance of the evidence the existence of a period of time which is authorized by section 29-1207(4) to be excluded in computing the time for commencement of the Defendant's trial. There is no evidence before the Court to show that any time period should be excluded from the time computation. Counts six and seven are therefore dismissed.

Counts one through five are set for trial on 4-25-06, 9AM, Ctrm #25.

By the Court

Jean Lucell

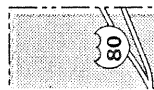
4-10-06
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WITNESS FEES _____

SHERIFF FEES _____

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Journal Star

tion on
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trained to help in emergencies and disasters before fire trucks, ambulances or police arrive. Last week, while the national news networks showed the carnage of Katrina and followed the brewing Hurricane Rita, these state workers learned to deal with potential disasters close to home.

They practiced putting out a fire with a fire extinguisher. They learned about the fingernail squeeze (squeeze your fingernail and when you let go, if the white spot doesn't fill with red in two seconds, you have circulation problems). They learned basic disaster psychology.

They also received their own bags of safety equipment: a lime green hard hat and vest, safety glasses, gloves (latex and leather), flashlight and dust mask.

They are ready to help in a small emergency

islativie services.

Hubka took the 20 hours of training because it fits with his job of managing the part of the Capitol with state senator offices.

Training people in the Capitol, where about 700 people work, is important, he said. "We have more people working here in this building than a lot of little towns in Nebraska," he said.

Sande Stalnaker, who works for Treasurer Ron Ross, now knows how to be more helpful in an emergency situation.

"At least I know where the fire extinguisher is. I know where the defibrillators are. We have two in the building."

Said Rick Reitz, a treasurer's office employee: "This training is going to help us in the Capitol, sure. But it's also going to help us in our com-

BY BUTCH MABIN
Lincoln Journal Star

City of Lincoln prosecutor John McQuinn said Monday his office will file charges this week against a Lincoln man who last year kept more than 100 cats in a basement.

McQuinn said he was still unsure what charges would be filed against Rick Meyer in the case.

The Lancaster County Attorney's Office had been prosecuting the case against Meyer, but this month moved to dismiss 11 counts of animal cruelty against Meyer.

Meyer, 50, said he was confident the city would lose its case against him.

"Let them have their fun, because they're going to lose," he said in an interview.

Animal Control last year found 146 cats in the basement of the house Meyer shared with his mother-in-law at 4120 Linden St.

Agency officers went to the residence after receiving an anonymous complaint about a strong ammonia odor coming from the house.

Only a few of the cats had to be destroyed. Most were adopted out by Animal Control.

Meyer was ticketed by Animal Control for violating several city ordinances including: having cats without a license, unsanitary conditions, exceeding the legal number of cats and not having a license to breed cats.

The case originally was set to be prosecuted by the city attorney's office. Later, that office handed the case to the Lancaster County attorney. County attorneys filed against

Meyer 11 counts of cruelty to animals, a misdemeanor punishable by up to one year in jail.

Violation of the city ordinances, on the other hand, was punishable only by fines.

The case turned in Meyer's favor two weeks ago when Lancaster County Judge Gale Pokorny said prosecutors were bound to follow an agreement Jim Weverka, animal control director, made with Meyer shortly after authorities discovered the cats.

According to papers filed by

Man who kept 146 cats in basement faces city charges



munities, too. The idea is to train as many people as we can."

The Lancaster County CERT training is offered through the cooperation of the county emergency management administration, the Lincoln-Lancaster Citizen Corps and Volunteer Partners in Lincoln.

Reach Nancy Hicks at 473-7250 or nhicks@journalstar.com.

glitches, the fault.
Software glitches were one of Hansen's examples of choosing the wrong solution to a problem. "Ninety-nine percent of what's wrong is the direct result of failures on the part of Washington D.C., to do the job to allow for at the local level to do theirs."

Nebraska Sen. Ben Nelson offered his reaction in a prepared statement. Nelson said, in part, "Just 30 days ago, my staff was briefed on an entirely different plan. So to say there's some confusion, would be an understatement."

See USDA, Page

Meyer's attorney, Deputy Lancaster County Public Defender Matthew Graff, Weverka told Meyer he would only be charged with eight city misdemeanors and would be allowed to keep two cats of his choice if he signed over possession of the other cats to Animal Control.

Weverka also told Meyer Animal Control would not release Meyer's name to the news media, according to Graff.

Pokorny in a Sept. 12 order so

See CATS, Page

About 9:20 a.m. a trooper pulled over a westbound 1990 Chrysler 300 occupied by four California men for speeding at mile marker 384 on Interstate 80 in Seward County, the Patrol said in a press release.

The driver, who could not produce any identification, gave the trooper a false name but used his own date of birth. A computer check confirmed the driver had a warrant for attempted murder out of Riverside, Calif.

The driver, first identified through physical traits and later through his own admission as 21-year-old Richard Whitley Jr., was lodged in the Seward County Jail, where he awaits extradition to California.

The three remaining passengers were cited for providing false information and released. The Seward County Sheriff's Office assisted in the investigation.

■ Cats

Continued from Page 1B

the county attorney's office had to prosecute the case consistent with Weverka's agreement. "The state is now required to keep its word!" the judge wrote.

The county attorney's office subsequently moved to dismiss its charges against Meyer.

McQuinn said Monday he only became aware of the agreement between Meyer and Weverka after the case had been transferred to the county attorney. He said he was unsure what impact, if any, the agreement would have on the city's anticipated case against Meyer.

"What impact Weverka's agreement will have, I don't know," he said. "I don't know specifically what he (Weverka) said."

Meyer said he will sue Animal Control, the city of Lincoln and the state because of how each handled the case.

"I'm just furious about this," he said. "The agreement was there. They all should have known."

Meyer said he only got to keep one cat — "Chip" — rather than two, and also said the case has been widely reported by the news media, contrary to the agreement he said he had with Weverka.

Weverka said he did not release Meyer's name to reporters.

"I think the news media figured it out on their own," he said.

Reach Butch Mabin at 473-7234 or at bmabin@journalstar.com.

Another water main burst Thursday near Ninth and Oak streets, most likely because of a corroded 12-inch pipe, officials said.

A third water main break this month flooded parts of the County-City building at 555 S. 10th St.

A water main | Road. Water s

Sentencing set

Lincoln Journal Star

Austin R. Ice could receive up to 20 years in prison at his November sentencing in the beating death of a Lincoln construction worker.

Ice, 26, pleaded no contest last Thursday in Lancaster County District Court to manslaughter in the death of Rodrigo de la Rosa. A judge scheduled Ice for sentencing Nov. 3.

De la Rosa's skeletal remains

were found Ma mote creek in West Old Che ties suspect he ber 1999 and would have be

An autopsy died of blunt f head, but inve gulation could the cause of de

De la Rosa from Texas in t

Outgoing boy dies

BY HILARY KINDSCHUH

Lincoln Journal Star

The life of an outgoing 13-year-old Adams boy who enjoyed the outdoors was cut short this week-end.

Nathan Allen Krueger of Adams died at Bryan LGH Medical Center West after being involved in a vehicular accident near Elk Creek on Sunday, said his aunt, Rachelle Setsodi of Van Meter, Iowa.

Setsodi said her nephew, an eighth-grader at Freeman Public Schools, was active in sports and school activities and enjoyed skateboarding, hunting, four-wheeling, fishing, video games and camcording.

Although Krueger's parents, Reid Krueger of Adams and Debra Krueger of Overland Park, Kan., were no longer together, the boy had a good relationship with both of them, Setsodi said.

"He liked to hang out with them and give them lots of hugs and kisses," she said.

Krueger is also survived by a brother, Yerek Markowsky of Arvada, Colo., and a sister, Marissa Rogman of Adams.

Visitation will be held at the Fox Funeral Home of Adams on Wednesday from 8 a.m. to 9 p.m. and Thursday for one hour prior

to funeral serv held at 10:30 a.

Lutheran Chur

Setsodi spo

family Mond

Krueger's gran

Lincoln, when



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Willia

27th & Yankee Hill Rd. •



WebForm
<none@lincoln.ne.gov>
08/31/2006 04:46 PM

To General Council <council@lincoln.ne.gov>
cc
bcc
Subject InterLinc: Council Feedback

InterLinc: City Council Feedback for
General Council

Name: Lee Redden
Address: 1601 North 14th street
City: Lincoln, NE, 68508

Phone: 308-440-3110
Fax:
Email: leeredden@hotmail.com

Comment or Question:

I have heard that the pedestrian railroad crossing on 14th street in-between New Hampshire Street and Holdrege Street will be closed to pedestrians in November. Can you please verify this as true or false?



TBundy@les.com
09/04/2006 12:31 AM

To council@lincoln.ne.gov, mayor@lincoln.ne.gov
cc Admin._Board@LES.les.com
bcc
Subject LES New Record for Electric Use

Dear Mayor and Council Members,

On July 19th LES set a new record peak for electric use. We had excellent operation of our resources so we had no trouble serving the load that day. Representatives from Standard and Poors were in Lincoln that day and touring our control center as we set the new record. We were especially glad they could observe a calm control room that day.

Doug Bantam, Vice President of Power Supply, put together a memo that provides some interesting facts about what it took to serve the electrical load that day. That memo is attached.

Let me know if you have any questions.

Terry

Terry Bundy
Administrator and CEO
Lincoln Electric System

(See attached file: Serving a Peak July Day.pdf)

NOTE: This electronic message and attachment(s), if any, contains information which is intended solely for the designated recipient(s). Unauthorized disclosure, copying, distribution, or other use of the contents of this message or attachment(s), in whole or in part, is prohibited without the express authorization of the author of this message.



- Serving a Peak July Day.pdf



DATE: August 23, 2006
TO: Terry Bundy
FROM: Doug Bantam
SUBJECT: Serving a Peak July Day

On July 19, Lincoln Electric System customers set a new all-time record peak electrical demand. While the new maximum one hour load of 779,000 KW exceeded the 2006 peak by 22,000 KW, it was within 1,000 KW (0.13%) of our July budgeted demand forecast.

Included in this summary is a load profile chart for the 24 hours of July 19. The chart also provides detail on the generating resources in service each hour to provide energy to our customers. Starting at the bottom of the chart and building to the top, the chart shows base load, intermediate load, and peak load generation resources. Each type of resource is shown in a different color and the various types are further divided to identify the size of individual generating units. LES' current resource mix is made up of coal-fired, natural gas-fired, hydroelectric resources plus, depending on market conditions, regional wholesale purchases.

The chart helps to frame several activities and the significant effort that goes into providing 100 percent reliable service while economically optimizing resources and accomplishing this on a day when loads are at historical levels.

For the 24 hour period of July 19, 2006:

- LES' energy production and delivery was over 14,900,000 kWh.
- LES' single day retail revenue was approximately \$880,000.
- LES' local generating units at the new Salt Valley Generating Station and the Rokeby Generating Station consumed \$380,000 in natural gas.
- LES executed wholesale purchases of only \$39,000 due primarily to high regional loads and transmission constraints which made it very difficult to purchase or even deliver economically priced energy.
- Purchases from the Western Area Power Administration, which manages our Missouri River hydroelectric energy contracts, made up 8.5 percent of LES needs.

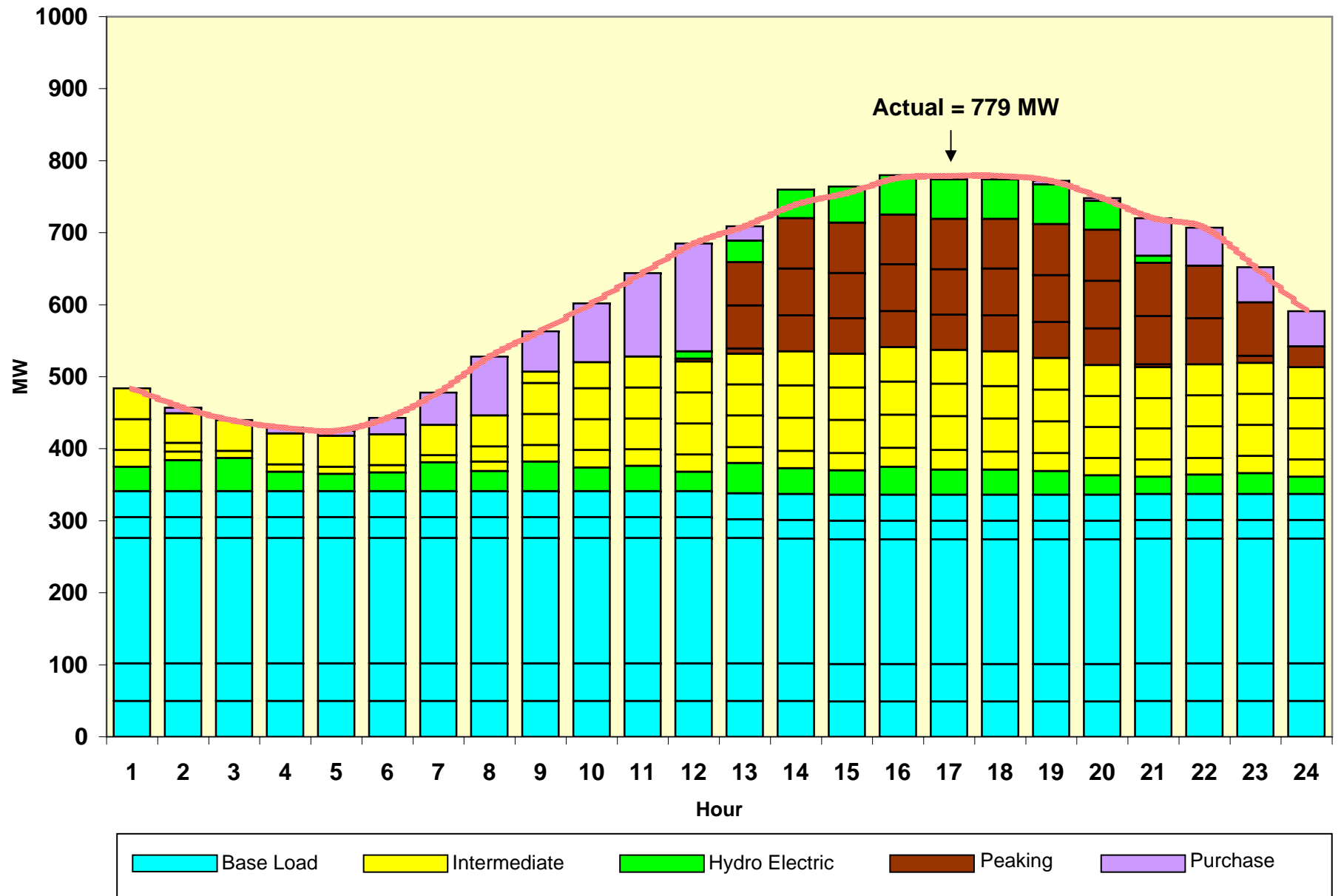
- To provide this energy, forty-two (42) rail cars of coal were also consumed for LES customers at the Laramie River Station near Wheatland, Wyoming; and the Nebraska Public Power District Gerald Gentleman Station near Sutherland, Nebraska; and the Sheldon Generating Station near Hallam, Nebraska.
- LES schedules energy from 14 major generating resources plus the contracted hydroelectric deliveries and wholesale purchases. On July 19, 2006, 13 of 14 generating units were operating and these facilities performed flawlessly.
- While 13 of 14 generating units were in operation, no unit was pushed to its operating limit. LES maintained approximately 75 MW of available resources which provided operating security in the event of a regional system disturbance or LES resource outage.
- LES' 345 kV and 115 kV transmission lines were all in service that day and none were overloaded.
- Transmission system voltages were excellent across the LES system and the immediate regional grid.
- All 48 substation transformers were in service and voltages were normal.
- One hundred sixty five (165) 12.5 kV distribution circuits were also all in service with the highest loading just above 80 percent of emergency rating.
- By coincidence, on July 19th, Standard and Poors bond rating agency analysts were on site and observed LES energy dispatching and system control operation.

Meeting customer needs each day is a challenging and complex accomplishment. The highlights above are the result of good generating unit and delivery performance, and excellent preparation and execution by LES staff and our wholesale energy providers.

If you have additional questions or would like a more detailed discussion, please let me know.

DDB/mt

Peak Load Day - July 19, 2006





11248 John Galt Boulevard • Omaha, NE 68137

Phone (402) 339-1200 • Fax (402) 339-7382

September 5, 2006

RECEIVED

SEP 06 2006

CITY COUNCIL
OFFICE

The Honorable Coleen J. Seng
Mayor
City of Lincoln
555 S. 10th Street, 2nd Floor Rm 208
Lincoln, Nebraska 68508

RE: Renewal of Lottery Operator Agreement

Dear Mayor Seng:

Thank you for your time in meeting with us the other day to discuss keno in Lincoln. It was good to see you, and meet your staff.

Big Red Keno has been serving the City of Lincoln as the exclusive keno operator since 1993. During that time, we have raised more than \$20,000,000.00 (\$20 MILLION) for community betterment in Lincoln, and over \$8,000,000.00 (\$8 MILLION) for community betterment in Lancaster County.

We are proud of our record of success and pleased to have this opportunity to be of service to the City. We would like to continue that success, and we hereby request a 5 year renewal of our Lottery Operator Agreement from the end of the current term (which ends March 9, 2008). However, I would also like to request a couple of changes in our contract language, due in part to changes which have taken place or will take place for our operating environment within the City.

As you know, over the last two years, our business has been impacted by Lincoln's smoking ban. We understand the City's reasons for the ban, and share your concern for the health effects of second hand smoke, but unfortunately, we feel we have borne a disproportionate share of the economic effects of the ban. In 2005 (the first year the ban took effect), our keno and bar revenues were down nearly 20% from the year before. Although the keno and bar business have come back a little this year, we continue to be down compared to previous levels. However, we have taken a number of steps to restructure our business, and we are confident in our ability to build the business back up over the next few years.

Coleen Seng
September 5, 2006
Page Two

We are also concerned about the pending closure of the Harris Overpass. We understand that this closure will occur sometime toward the end of 2007, and will last approximately 1 year. This period covers the end of our current contract term, which runs through March 9, 2008. We believe that this closure will have a significant impact on our business at the main location. Again, however, we remain hopeful that the prospects are bright for our business in the longer term, with a new overpass and promised revitalization of West "O" Street.

We are certainly willing to bear our share of the load on these projects and policy initiatives with the City, but would like to have some assurance that we will have an opportunity to reap the rewards of those efforts in the long term. That is why we are requesting that the City renew our Lottery Operator Agreement for five years on an exclusive basis. In return, we are willing to commit in the Agreement that all pickle cards sold at our main location will be purchased from the Lincoln Parks Foundation, in order to provide full benefit to the City of Lincoln.

I note that these two items may be changes to the language of our Agreement, but are not a change in practice. Big Red has been the City's exclusive keno operator since 1993, and has purchased 100% of its pickle cards from the Lincoln Parks Foundation for the last two years (and a significant portion of its pickle cards from the Parks Foundation before that).

Specific proposed language changes are enclosed. If our proposal is acceptable, please have the City Attorney contact our General Counsel, Bill Harvey, to work out the logistics of the renewal.

Mayor Seng, thank you for your time and attention to this matter. We look forward to serving the City for many years to come.

Very truly yours,



Gregory D. Erwin

enclosure

c: Lincoln City Council Members
Dana Roper, Lincoln City Attorney
Don Herz, Lincoln Finance Director

Proposed changes to Lottery Operator Agreement
(proposed deletions ~~struck out~~, proposed additions underlined)

Revise Section 1(a) as follows:

The City hereby grants to Operator, and operator hereby accepts, the ~~nonexclusive~~ exclusive right to operate, personally and directly, on behalf of the City and the County a keno-type lottery within the corporate limits of the City and the territorial jurisdiction of the County, as they exist on the effective date of this contract and as they may from time to time be changed. In operating such lottery, the operator acknowledges and agrees that it is acting in the capacity of an independent contractor only, ~~and the Operator further acknowledges the City's right to enter into agreements with other operators for the operation of a keno-type lottery.~~

Add a new paragraph (e) to Section 2 as follows:

(e) The Operator will purchase all pickle cards to be sold at the main location from the Lincoln Parks Foundation, so long as the Lincoln Parks Foundation is properly licensed as a pickle card charity. In the event Operator is no longer able to purchase all pickle cards from the Lincoln Parks Foundation, due to licensing or other restrictions, Operator shall purchase all pickle cards to be sold at the main location from another Lincoln-based charity designated by the Operator and approved by the City Council.

Revise the first paragraph of Section 8 as follows:

The main keno game will be operated Monday through Saturday, between 9:00 a.m. and 1:00 a.m. the following morning, subject to customer demand at participating satellite locations and noon to 1:00 a.m. on Sunday, but the Operator may, in its discretion, operate the keno lottery starting earlier in the morning with the approval of the Finance Director.

Important

message

For City Council

From _____

Time 10:37 Date 09-06-06

Phone _____

☐ URGENT! Call from citizens

Message _____

re-graffiti ordinance.

We're victimizing the
victims twice.

Make offender provide
cost & labor to repair.





"timkjohanson1947@juno.com"
<timkjohanson1947@juno.com
>

09/06/2006 11:25 AM

To council@lincoln.ne.gov

cc forty_and_a_neighborhood@hotmail.com

bcc

Subject Re: 40th & A St. DownZoning request

Dear Council Members;

Please seriously consider voting in favor of the request by the 40th & 'A' Neighborhood Assn. for down zoning in the areas in question. A great deal of thought and research has gone into the process and it will benefit a large area of Lincoln. Thank you.

Tim K. Johnson
4333 E St
Lincoln 68510
483-0425

A D D E N D U M
T O
D I R E C T O R S ' A G E N D A
MONDAY, SEPTEMBER 11, 2006

I. MAYOR -

1. NEWS ADVISORY - RE: Mayor Seng's Public Schedule Week of September 9 through 15, 2006 -Schedule subject to change.

II. CITY CLERK - NONE

III. CORRESPONDENCE

A. COUNCIL REQUESTS/CORRESPONDENCE - NONE

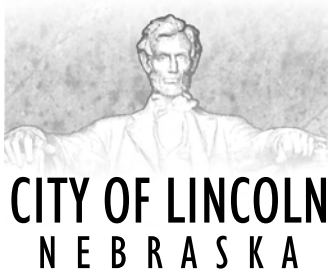
B. DIRECTORS AND DEPARTMENT HEADS -

HEALTH

1. NEWS RELEASE - RE: Local West Nile Virus Video On 5 City TV and Web.

C. MISCELLANEOUS -

1. E-Mail from Larry Geiger, Geico Development, Inc. - RE: Opposed to M Street Change of Zone from R4 to R2.
2. E-Mail from Lisa Good - RE: 30th Street between South & Cable to be closed beginning 9-11-06 with no formal notice to neighbors!



NEWS ADVISORY

MAYOR COLEEN J. SENG

lincoln.ne.gov

Date: September 8, 2006

Contact: Diane Gonzolas, Citizen Information Center, 441-7831

Dave Norris, Citizen Information Center, 441-7547

Mayor Seng's Public Schedule **Week of September 9 through 15, 2006** *Schedule subject to change*

Sunday, September 10

- Northeast Family Center FUN (Family Unity in Neighborhoods) Festival - noon, 5903 Walker
- Celebrate Neighborhoods, proclamation and awards presentation - 2 p.m., Antelope Park, open shelter north of Auld Rec Center
- No Place for Hate Rally, remarks and proclamation - 3 p.m., Lincoln High athletic field, 22nd and "J" streets
- Patriot Day - Lincoln Remembers, remarks - 7 p.m., Veterans Memorial Garden, Antelope Park, east of Auld Rec Center

Monday, September 11

- Windcrest Assisted Living Center, proclamation - 8:30 a.m., 7208 Van Dorn
- Lincoln Area Retired School Teachers volunteer recognition - 9:30 a.m., First Presbyterian Church, 16th and "F" streets
- Mayor's Award of Excellence - 1:30 p.m., City Council Chambers, 555 South 10th Street
- Country Meadows Assisted Living, remarks - 6:30 p.m., 2411 "R" Street

Tuesday, September 12

- Multicultural Advisory Committee meeting - 3:30 p.m., Mayor's Conference Room, 555 South 10th Street
- Aster Mini Park dedication - 5:30 p.m., N.W. 8th Street and Aster Road

Wednesday, September 13

- Madonna Rehabilitation Hospital Goal Awards - noon, Embassy Suites, 1040 "P" Street

Thursday, September 14

- Envisioning Regional Design Charrette Workshop- 11 a.m., SAC Museum, I-80 exit 426
- Mayor's Neighborhood Roundtable - 4:30 p.m., Room 113, 555 South 10th Street
- CEDARS annual dinner - 6 p.m., Embassy Suites, 1040 "P" Street

Friday, September 15

- Community Blood Bank "Battle of the Badges" awards presentation, remarks - 7:30 a.m., Governor's Residence, 1425 "H" Street



NEWS RELEASE

MAYOR COLEEN J. SEWG



LINCOLN-LANCASTER COUNTY HEALTH DEPARTMENT
3140 N Street, Lincoln NE 68510 • Phone: 441-8000
Fax: 441-8323 or 441-6229

FOR IMMEDIATE RELEASE: September 11, 2006

FOR MORE INFORMATION: John Chess: 441-8027
Cheryl Lockett: 441-6215
Leon Marquart: 441-8146

LOCAL WEST NILE VIRUS VIDEO ON 5 CITY TV AND WEB

View on the web at www.Lincoln.ne.gov KEYWORD: WNV

The Lincoln-Lancaster County Health Department has recently finished producing a 10 minute video on West Nile virus. The video is airing on cable 5 City TV. For a schedule of times the video will be aired go to the city's InterLinc home page at www.lincoln.ne.gov and type in the Keyword: 5citytv. Choose the monthly program guide for Channel 5 for the viewing schedule. The video may also be watched on the web by going to the city's InterLinc home page and using the Keyword: WNV.

In the video, four local citizens who have had West Nile virus share their experiences with this disease. Each of them had severe symptoms from the virus and their stories provide a powerful message on why it's important to protect yourself from being bitten by mosquitoes.

Staff from the Lincoln-Lancaster County Health Department also explains ways to avoid providing breeding habitat for mosquitoes around your home and neighborhood by removing items where water can accumulate, cleaning gutters of leaves and reporting standing water. The symptoms of West Nile virus are also described.

Anyone with questions about West Nile virus should call 441-6215.

###



Geico266@aol.com
09/08/2006 09:37 AM

To council@lincoln.ne.gov
cc
bcc
Subject Opposed to M Street Change of Zone from R4 to R2

From: Geico Development, INC
2251 W. Pleasant Hill Rd. Lincoln, Nebraska 68523
Phone (402) 430-6977 Fax 402 423-7057

To: Lincoln City Council September 7th, 2006
575 S. 10th Street
Lincoln, NE 68508

Subject: Opposition to Proposed Change of Zoning R-4 to R-2.

Geico Development, INC. recently purchased 4211 M street as an investment with hopes to convert it into a duplex at some later date. The property was zoned R-4 when we purchased it and we would expect it to remain that way. I have been told the property is "Grand fathered" in but, only if we convert the house into a duplex now. This would disrupt the current tenants living there. Change for sake of change is not a good enough reason.

The example I was given (by the person requesting this change of zone, who does NOT live in this area) was an investor bought a house in this area, added an addition to it and made it a duplex. In doing so he met all codes & zoning laws, the plans were approved by Building & Safety, all construction inspections were passed, and the property is currently rented. If the investor was not successful his property would not be rented and his investment would have failed. Instead, his investment in this R4 area has now provided another low end home for people to live in. I call that a success, and it is what Lincoln needs, however, the requestor of this change sees it as impending doom for the area. The latter is non-sense.

Affordable housing is needed in Lincoln to attract lower wages workers and students into the area. People then can go to school, get better jobs, and move up the ladder of success, and move. Reducing the number of areas in the City where landlords can invest into / and convert older properties into duplexes is a negative towards making more affordable housing.

Some of the homes in this area are 70+ years old. The zoning has been R4 for many years. The people who recently bought into the neighborhood purchased their homes knowing the zoning was R4. They should not have bought their home in an R4 zoned area if that was objectionable to them.

The vast majority of homes in this area are already rentals. Landlords make the determination to buy rentals based on their income potential, value, and future value. R4 zoning is a plus when looking for investment properties. Home owners are not flocking to this area, they are selling to investors who will find the highest and best use for their property. Taking away the R4 zoning is a negative in buying an investment property in this area, further reducing the value to home owners & investors alike.

Larry Geiger

Once you have flown, you will walk the earth with your eyes turned skyward, for there you have been, and there you long to return.



"barbara horton"
<bhorton50@hotmail.com>

09/10/2006 08:22 PM

To: BealsFamily@msn.com, amcroy@ci.lincoln.ne.us,
campjon@aol.com, Council@ci.lincoln.ne.us

cc

bcc

Subject: FW: 30th Street between South and Cable to be closed
beginning 9-11-06 with no formal notice to neighbors!

>From: "Lisa Good" <lgood@windstream.net>
>Reply-To: "Lisa Good" <lgood@windstream.net>
>To: <bhorton50@hotmail.com>, "Lowell & Kathy Provancha"
><provancha@msn.com>, "Dennis Restau" <DRestau@esu3.org>, "Marty Hager"
><mhager@minnowproject.com>, "Bill and Cletia" <bprice@neb.rr.com>
>Subject: 30th Street between South and Cable to be closed beginning 9-11-06
>with no formal notice to neighbors!
>Date: Sun, 10 Sep 2006 16:40:15 -0500

>
>Treating Antelope Park residents like second class citizens has become a
>habit!

>
>30th Street between South and Cable to be closed beginning 9-11-06 with no
>formal notice to neighbors!

>
>
>Barbara: Here are the addresses for Jonathan Cook, and Chair Newman of
>the City Council. I hope you will write them and discuss the proposed 30th
>Street closing in your area starting tomorrow, and the inexcusable lack of
>notice about it.

>
>
>I think public works should investigate who fell through on this project,
>why the neighbors were not sent letters or given fliers beforehand. Then,
>this project must be pushed back to allow the neighbors an opportunity to
>plan for the hassles, places to park, loading up on groceries and supplies,
>and all the other minor inconveniences that will be impacted with a
>no-notice five-day street closure.

>
>The city must be held responsible for this. If Steve Faust, city engineer
>who lives on this street was supposed to do something, he did not, and must
>be either written up, or removed from Antelope Park area engineering duties
>for conflict of interest.

>
>
>
>
>
>
>
>----- Original Message -----
>From: "Patte Newman" <newman2003@neb.rr.com>
>To: "Jonathan Cook" <JCookCC@aol.com>; <DRestau@esu3.org>; "Jon Carlson"
><joncarlson@alltel.net>; "Lisa Good" <lgood@windstream.net>
>Sent: Sunday, September 10, 2006 10:29 AM
>Subject: Re: Four Questions, a request and a long-term proposal....

>
>
> >
> > Dennis

> > There are those of us who have tried, year after year, to not only be
> > sensitive to what IS going on in older neighborhoods but to set policies
>to
> > protect them. And you have to know that includes Jon Carlson, Jonathan
>and
> > me. And I'm not saying this to toot our horns...but you need to know
>exactly
> > where it gets us. (And I hope you weren't picking on us but I'm telling
>you
> > anyway.)
> >
> > You KNOW we've dogged city staff with building codes and problem
> > properties. We got the fines for disorderly houses increased. We're
>working
> > on getting
> > the graffiti thing through Monday. We've worked on design standards for
> > older neighborhoods (to prevent six-plex slip-ins like we see some
>places)
> > and down zoning for older neighborhoods (to prevent the unacceptable
>density
> > caused by those slip ins). We pushed for one set distance standard that
> > businesses selling alcohol have to be from residential so corner gas
> > stations don't overwhelm the homes behind them. We've tried to
>incorporate
> > specific recommendations for arterial streets through existing
> > neighborhoods so the City does not widen neighborhood streets right up
>to
> > porches,
> > creating more rental properties and creating more blight in
>neighborhoods.
> > We made sure money is there for fixing potholes and rehabbing
>residential
> > streets when other powers-that-be would prefer everything is spent on
>the
> > outskirts of town. We've tried to ensure that our neighborhood libraries
> > stay open and the neighborhood pools stay open and that neighborhood
>parks
> > are available in every area of town. We've made sure that ALMOST every
> > project that happens involves discussion with neighbors and meetings and
> > notifications of public hearings and input from all sides. (The salt
>dome
> > really was an exception.)
> >
> > And you have to know that we've been called everything from treehuggers,
> > tax-and-spend liberals, anti-progress, anti-growth and anti-business all
>the
> > way to being
> > called crazy people....for caring.
> >
> > I think I can speak for both Jon and Jonathan - when I say that one of
>MY
> > priorities (and I think theirs) was that I don't want people moving out
>of
> > their neighborhood because they don't feel safe or secure or they don't
> > think it's a good place to live any more. I think most of our actions on
>the
> > council have reflected that. We all live in older neighborhoods. (Yeah,
>mine
> > is the youngest - at 50 something.) And every battle has taken a little
>bit

> > more energy than the last...especially when we lose them.
> >
> > So PLEASE don't think we haven't been trying, Dennis. While we work hard
>to
> > put in place policies that protect neighborhoods, when it comes to
> > individual projects, it is the administration which has to be counted on
>to
> > carry out those policies and be sensitive to neighbors. As council
>members
> > we have no direct authority over staff. We are NOT in charge. I would
> > suggest in the future that any candidate for Mayor needs to be asked how
> > they will deal
> > with situations like this. Will they be in charge of staff or let staff
>run
> > amok?
> >
> >
> > ----- Original Message -----
> > From: "Restau, Dennis" <DRestau@esu3.org>
> > To: "Lisa Good" <lgood@windstream.net>; "Jonathan Cook"
><JCookCC@aol.com>;
> > "Patte Newman" <newman2003@neb.rr.com>; <joncarlson@alltel.net>
> > Sent: Friday, September 08, 2006 9:15 AM
> > Subject: RE: Four Questions, a request and a long-term proposal....
> >
> >
> > Hello to all,
> >
> > I just thought I would chime in on what Lisa has to say about this
>current
> > situation. Being the Antelope Park Neighborhood President has certainly
> > opened my eyes to the indifference that happens to older neighborhoods.
> > What
> > is being built in our neighborhood is rather disappointing to say the
>least.
> > Even if I just look at it from a visual standpoint it is quite alarming
> > that
> > the residents on Franklin street are being basically ignored.
> > Yes, they all bought property knowing that the site was there. Yes, they
> > have put up with the noise and problems associated with the site. Now,
>they
> > are expected to put up with something that is a larger scale site,
>without
> > any public notice or neighborhood input.
> > I don't have to live by it at all. I put up with people speeding down
>Sumner
> > once they come off of Interstate 27. And that is a fact of living where
>I
> > do. But this is a bit offscale here.
> > It does really upset me when the City of Lincoln does whatever it wants
> > especially considering the zoning of this property. The proximity to area
> > residential houses is unjustified. If you want visual blight.....then
>this
> > project fits the bill to a T. I get tired of people in the city telling
>me
> > all the things they want to do to protect older neighborhoods. What is
> > exactly being done here? Is this protection or improvement?
> > Our sidewalks are pathetic. We are the LAST neighborhood scheduled to
>have
> > them fixed. My parents neighborhood which is only 44 years old.....is

> > getting new sidewalks! Our area which is almost 100 years old.....has
>to
> > wait. Indifference.
> > And indifference is what is happening on a CITY owned site in our
> > neighborhood. Who in there right mind would think that it is ok to build
>a
> > giant structure that will destroy whatever street appeal there is on
> > Franklin street? I'm sure that those who designed this fortress had NO
> > consideration for the people who live by it night and day. They simply
> > don't
> > give a rip.
> > The meeting was a pathetic attempt to put a finger in the dike. I felt
>like
> > giving the city the finger! The worst case was the city worker who
>happens
> > to live in the neighborhood and works at this site. His testimonial was
> > hard
> > line city. Maybe his butt is on the line? Do a good job for us and we
>will
> > make it worth your while. HE had no concern for his fellow neighbors.
>That
> > was stunning. What a great world when we put people on the line like
>that.
> > So, I feel as a neighborhood president in an older neighborhood that any
> > effort taken will be swept away because the City can do so. Who cares if
> > the
> > QUALITY OF LIFE has been diminished? It's just an older neighborhood.
>Just
> > a
> > few tax paying citizens who basically live in the wrong area of town. NO
> > BIG
> > DEAL!
> > The MAIN concern for any public entity is to protect it's citizens. That
>is
> > it's job and should be it's primary concern. If there is ANY question
>that
> > this site has any runoff into the neighborhood then it should be moved
>for
> > public safety. People are raising kids here.
> > I urge all of you that sit on the City Council to find a solution to
>this
> > problem. If people who have worked hard all their lives to buy an
> > affordable
> > house in an older neighborhood feel like they must MOVE because of what
>the
> > CITY is doing,that is just plain wrong. A matter of principle and
>ethics.
> > Write me. I would be interested in what you have to say. I am also NOT
> > impressed by the new light poles on 27th street. They have been moved
> > almost
> > on private property. A few poor souls now will have more lighting
>flooding
> > the fronts of their homes. The new 3 foot move off the street will
>decrease
> > the value of those properties even more. Great thinking.What has
>happened
> > to
> > the novel idea of having consideration to others?
> >
> > Dennis Restau

> > Antelope Park Neighborhood Association President
> > drestau@esu3.org
> > 402 - 476 - 6841
> > 402 - 770 - 9270
> >
> >